

ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE

DATE: 12/13/05
START: 2:30pm
END: 2:50pm

DOCKET NO: 05 CV 1494

CASE: Enns v. Absolute Home Healthcare

☐ INITIAL CONFERENCE
☒ DISCOVERY CONFERENCE
☐ SETTLEMENT CONFERENCE

☐ OTHER/ORDER TO SHOW CAUSE
☐ FINAL/PRETRIAL CONFERENCE
☒ TELEPHONE CONFERENCE

tape-recorded

FOR PLAINTIFF:

Robert McCovern

FOR DEFENDANT:

Richard Levin

☐ DISCOVERY TO BE COMPLETED BY _____

☐ NEXT CONFERENCE SCHEDULED FOR _____

☐ JOINT PRE-TRIAL ORDER TO BE FILED VIA ECF BY _____

PL. TO SERVE DEF. BY: _____ DEF. TO SERVE PL. BY: _____

RULINGS: PLEASE TYPE THE FOLLOWING ON DOCKET SHEET

For the reasons stated on the record, defendant shall, by 12/23/05, produce the names and addresses of LPNs supplied by defendant to CABS Nursing Home, Marcus Garvey Nursing Home, Concord Nursing Home, and Ruby Weston Manor Nursing Home for the last six years, and shall provide the payroll information sought by plaintiff.
Plaintiff's motion to send class

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notice to LPNs who worked at all four facilities is denied without prejudice, as plaintiff has made no showing at this point that they were all similarly situated. Plaintiff may renew his motion after he receives defendant's discovery responses. The Court overrules defendant's objection to the temporal scope (i.e. 6-years) of the notice.

Counsel shall confer and, by 12/16/05, submit a joint proposed modified discovery schedule. The 1/4/06 settlement conference is adjourned sine die.